

Message Text

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60

ACTION NEA-10

INFO OCT-01 AF-08 IO-13 ISO-00 SSO-00 NSCE-00 INRE-00

USIE-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15 /073 W

----- 033780

O R 291425Z AUG 76

FM AMEMBASSY KUWAIT

TO SECSTATE WASHDC IMMEDIATE 6102

INFO AMEMBASSY ABU DHABI

AMEMBASSY ALGIERS

AMEMBASSY AMMAN

USINT BAGHDAD

AMEMBASSY CAIRO

AMEMBASSY DAMASCUS

AMEMBASSY DOHA

USMISSION GENEVA

AMEMBASSY JIDDA

AMEMBASSY KHARTOUM

AMEMBASSY MANAMA

AMEMBASSY MUSCAT

AMEMBASSY RABAT

AMEMBASSY SANA

AMEMBASSY TRIPOLI

AMEMBASSY TUNIS

UNCLAS KUWAIT 4127

E.O. 11652: N/A

TAGS: PGOV, PINT, KU

SUBJ: AMIR ACCEPTS RESIGNATION OF PRIME MINISTER AND

DECREES DISSOLUTION OF NATIONAL ASSEMBLY AND

PARTIAL SUSPENSION OF CONSTITUTION

1. IN UNEXPECTED ACTION (HINTED AT BY ONLY ONE NEWSPAPER,
AL-WATAN, THAT SAME MORNING) AMIR OF KUWAIT SIGNED FOUR
ORDERS (TO BE PUBLISHED AS DECREES) MORNING AUGUST 29,
HAVING MAJOR EFFECT ON KUWAIT GOVT AND NATIONAL ASSEMBLY.

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ACCORDING TO RADIO REPORTS, DECREES AND GRANTS OF POWER

ACCOMPLISH THE FOLLOWING:

A. ACCEPTS RESIGNATION OF PRIME MINISTER JABIR AL-AHMAD AL-JABIR AL-SABAH AND SIMULTANEOUSLY REAPPOINTS CROWN PRINCE AS PRIME MINISTER (PRESIDENT OF COUNCIL OF MINISTERS) WITH INSTRUCTION FORM NEW CABINET.

B. SUSPENDS NATIONAL ASSEMBLY AND ASSIGNS LEGISLATIVE POWERS TO AMIR AND COUNCIL OF MINISTERS. LAWS TO BE ISSUED BY AMIRI DECREE. DECREES WILL BE ISSUED TO ESTABLISH A CONSTITUTIONAL REVISION COMMITTEE WHOSE ACTION TO REVISE CONSTITUTION "SHOULD BE COMPATIBLE WITH ISLAM." COMMITTEE IS TO COMPLETE ITS REVISION WITHIN SIX MONTHS OF AUGUST 29, 1976, AND THEN THE REVISION WILL BE SUBMITTED FOR APPROVAL BY REFERENDUM OR TO NEXT NATIONAL ASSEMBLY.

C. LAW GOVERNING PRINTED MATTER AND PUBLICATIONS IS AMENDED BY ADDITION OF ARTICLE (35) WHICH EMPOWERS COUNCIL OF MINISTERS TO SUSPEND ANY NEWSPAPER THAT "SERVES THE INTEREST OF A FOREIGN COUNTRY" OR RECEIVES A SUBSIDY WITHOUT THE PRIOR APPROVAL OF THE MINISTRY OF INFORMATION. APPEAL DIRECTED AGAINST THIS NEW PROVISION WILL BE MADE ONLY TO THE COUNCIL OF MINISTERS.

D. CONSTITUTION OF NOVEMBER 11, 1962, IS "REVISED" BY SUSPENSION OF THE FOLLOWING FOUR PROVISION:

--ARTICLE 56, PARA 3, AMICH PROVIDES THAT "THE NUMBER OF MINISTERS IN ALL SHALL NOT EXCEED ONE-THIRD OF THE NUMBER OF THE MEMBERS OF THE NATIONAL ASSEMBLY." (WHO NUMBER 50 EXCLUDING MINISTERS.)

--ARTICLE 107, WHICH GRANTS AMIR AUTHORITY TO DISSOLVE NATIONAL ASSEMBLY BY DECREE AND PROVIDES, INTER ALIA, THAT, "IN EVENT OF DISSOLUTION, ELECTIONS FOR THE NEW ASSEMBLY SHALL BE HELD WITHIN A PERIOD NOT EXCEEDING TWO MONTHS FROM THE DATE OF DISSOLUTION."

--ARTICLE 174, WHICH READS AS FOLLOWS: "EITHER THE AMIR OR ONE-THIRD OF THE MEMBERS OF THE NATIONAL ASSEMBLY SHALL HAVE THE RIGHT TO PROPOSE THE REVISION OF THIS CONSTITUTION BY AMENDING OR DELETING ONE OR MORE OF ITS PROVISIONS OR BY ADDING NEW PROVISIONS.

"IF THE AMIR AND THE MAJORITY OF THE MEMBERS CONSTITUTING THE NATIONAL ASSEMBLY APPROVE THE PRINCIPLE OF REVISION AND ITS SUBJECT MATTER, THE ASSEMBLY SHALL DEBATE THE BILL ARTICLE BY ARTICLE. APPROVAL BY A TWO-THIRDS

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MAJORITY VOTE OF THE MEMBERS CONSTITUTING THE ASSEMBLY SHALL BE REQUIRED FOR THE BILL TO BE PASSED. THE REVISION SHALL COME INTO FORCE ONLY AFTER BEING SANCTIONED AND PROMULGATED BY THE AMIR REGARDLESS OF THE PROVISIONS OF ARTICLES 65 AND 66 OF THIS CONSTITUTION.

"IF THE PRINCIPLE OF REVISION OR ITS SUBJECT MATTER IS REJECTED, IT SHALL NOT BE PRESENTED AGAIN BEFORE THE LAPSE OF ONE YEAR FROM THE REJECTION.

"NO AMENDMENT TO THIS CONSTITUTION MAY BE PROPOSED BEFORE THE LAPSE OF FIVE YEARS FROM ITS COMING INTO FORCE."

--ARTICLE 181, WHICH PROVIDES: "NO PROVISION OF THIS CONSTITUTION MAY BE SUSPENDED EXCEPT WHEN MARTIAL LAQEIS IN FORCE AND WITHIN THE LIMITS SPECIFIED BY THE LAW. UNDER NO CIRCUMSTANCES SHALL THE MEETINGS OF THE NATIONAL ASSEMBLY BE SUSPENDED, NOR SHALL THE IMMUNITIES OF ITS MEMBERS BE INTERFERED WITH, DURING SUCH PERIOD."

2. IN STATEMENT BROADCAST ON KUWAIT RADIO, AMIR OUTLINED REASONS FOR ISSUANCE OF ABOVE ORDERS. HE NOTED THAT THIS ACTION GAVE HIM "GREAT PAIN," BUT THAT CONDITIONS WITH RESPECT TO NATIONAL ASSEMBLY HAD "DETERIORATED" IN SPITE OF "GREAT PATIENCE" ON HIS PART AND ON PART OF KUWAITI PEOPLE. AMIR NOTED THAT CONSTITUTION WAS INTENDED TO ACHIEVE STABILITY AND DEMOCRACY, BUT THAT STABILITY HAS BEEN "SHAKEN" BY NATIONAL ASSEMBLY, SO THAT, ACTING ON HIS OATH TO PROTECT THE "HOMELAND'S" SECURITY AND STABILITY, HE ISSUED ABOVE ORDER TO REVISE CONSTITUTION. AMIR SAID "WE BELIEVE IN FREEDOM AND DEMOCRACY," AND NEED TO SAFEGUARD THE PEOPLE AND MAINTAIN UNITY. AMIRI ORDER TO "REVISE" CONSTITUTION CONTAINS ASSERTION THAT SOME NATIONAL ASSEMBLY MEMBERS PARTICIPATE "FOR THIS OWN GAIN" AND THAT THERE IS NO MORE PATIENCE FOR THOSE WHO "ABUSED" THE CONSTITUTION.

3. PRIMIN'S LETTER OF RESIGNATION, DATED AUGUST 29, ALSO READ OVER RADIO, SAYS THAT FOR LAST TWO YEARS IT HAS BEEN "IMPOSSIBLE" FOR HIM AND OTHER MINISTERS TO COOPERATE WITH NATIONAL ASSEMBLY, PRIMARILY BECAUSE MUCH USEFUL LEGISLATION HAS NOT BEEN ACTED ON AND SESSIONS, THUS, HAVE BEEN WASTED. PRIMIN ALSO ALLUDES TO ATTACKS ON MINISTERS BY ASSEMBLY MEMBERS, IN SPITE OF THE "CRUCIAL SITUATION OUR AREA AND ARAB COUNTRIES ARE PASSING THROUGH."
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4. EMBASSY COMMENT WILL BE PROVIDED SEPTTEL.
MAESTRONE

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Message Attributes

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Margaret P. Grafeld
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